

1 of this section shall be subject to a fine of \$1,000 for each
2 separate offense.

3 (c) A person may not bring any action against a county or
4 the State for damages caused by the person's failure to use a
5 helmet in violation of this section.

6 (d) Fines collected under this section shall be paid into
7 the neurotrauma special fund."

8 SECTION 3. Section 286-2, Hawaii Revised Statutes, is
9 amended by adding a new definition to be appropriately inserted
10 and to read as follows:

11 "All-terrain vehicle" means any motorized vehicle
12 manufactured and used primarily for off-highway use that is
13 fifty inches or less in width, with an unladen dry weight of six
14 hundred pounds or less, traveling on three, four, or more low
15 pressure tires, with a seat designed to be straddled by the
16 operator and handlebars for steering control."

17 SECTION 4. Section 286-2, Hawaii Revised Statutes, is
18 amended by amending the definitions of "motor vehicle" and
19 "vehicle" to read as follows:

20 "Motor vehicle" means every vehicle which is self-
21 propelled and every vehicle which is propelled by electric power
22 but which is not operated upon rails, but excludes a moped. An



1 all-terrain vehicle is a motor vehicle for purposes of this
2 chapter.

3 "Vehicle" means every device in, upon, or by which any
4 person or property is or may be transported or drawn upon a
5 highway, but excludes devices moved by human power or devices
6 used exclusively upon stationary rails or tracks and mopeds. An
7 all-terrain vehicle is a vehicle for purposes of this chapter."

8 SECTION 5. Section 291C-1, Hawaii Revised Statutes, is
9 amended by adding a new definition to be appropriately inserted
10 and to read as follows:

11 "All-terrain vehicle" shall have the same meaning as
12 defined in section 286-2."

13 SECTION 6. This Act does not affect rights and duties that
14 matured, penalties that were incurred, and proceedings that were
15 begun, before its effective date.

16 SECTION 7. Statutory material to be repealed is bracketed
17 and stricken. New statutory material is underscored.

18 SECTION 8. This Act shall take effect upon its approval.

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Mike Gabbard

INTRODUCED BY:

[Signature]

Avoid y Jee
Theranne Chun Aulland
Ronald de Bob



Report Title:

All-Terrain Vehicles; Mandatory Helmet Use

Description:

Requires persons aged eighteen or younger to wear a helmet while operating an all-terrain vehicle on public property. Provides fines for violations.

